

04-22-2002

**U.S. PATENT
ASSIGNMENT RECORDATION**



PATENTS

Document ID No. 101985991

102063075

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
 A. Gerber Optical, Inc. (merged into) **A CT Corp**
 B. Coburn Optical Industries, Inc. **A DE Corp.**
 (Change name to)

2. Name and address of receiving party(ies):

Gerber Coburn Optical, Inc.

Additional name(s) of conveying party(ies) attached? Yes X No

Internal Address:

83 Gerber Road West
 South Windsor, CT 06074

3. Nature of Conveyance:
Assignment X Merger
Security Agr. Change of Name
Other

Street Address: (same)

City

State

Zip

A DE Corp.

Additional name(s) & address(es) attached?
Yes X No

Execution Date: 4/30/98

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.

B. Patent No. 6129042

Additional Numbers Attached? Yes X No

5. Name and Address of party to whom correspondence concerning document should be mailed:

Name: Frank J. Catalano

Address:

Frank J. Catalano, P.C.
 810 S. Cincinnati, Suite 405
 Tulsa, OK 74119

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$40.00

X Enclosed

X Authorized to be charged to deposit account

8. Deposit Account No. 03-1127
 (Attach duplicate copy of this page if paying by deposit account.)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

FRANK J. CATALANO
 Name of Person Signing

Signature

Date

4/22/02



U.S.

ASSIGNMENT RI

02-19-2002



101985991

OFFICE
DEPT FOR PATENTS

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02/15/2002 AMM 0000103 6129042

01 FEB 2002

40.00

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FRANK J. CATALANO
 Name of Person Signing

Signature

Date

1/22/02

APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. Country: The United States of America

THIS PUBLIC DOCUMENT

2. has been signed by **BARBARA A. CULOTTA**

3. acting in the capacity of **NOTARY PUBLIC**

4. in the State of Connecticut for the term of **May 1, 1997 to April 30, 2002**

CERTIFIED

5. at Hartford, Connecticut

6. on **April 23, 2001**

7. by **SUSAN BYSIEWICZ**, Secretary of the State of Connecticut

8. Number : **2001-11065**

9. Seal :



10. Signature

Susan Bysiewicz

Secretary of the State

GERBER COBURN OPTICAL, INC.

I, Richard F. Treacy, Jr., the duly appointed Secretary of Gerber Coburn Optical, Inc., a Delaware corporation do hereby certify that on February 27, 1998 Gerber Optical, Inc., a wholly owned subsidiary of Gerber Scientific, Inc. acquired all of the outstanding shares of stock of Coburn Optical Industries, Inc. and that by unanimous written consents of the respective Boards of Directors and the sole stockholder, a Plan/Agreement of Merger to which this Certificate is attached was duly adopted effective April 30, 1998 whereby Coburn Optical Industries, Inc. and Gerber Optical, Inc. were merged, and that the surviving corporation is Gerber Coburn Optical, Inc., a Delaware corporation.

This Certificate is issued on and as of the 23rd day of March, 2001.

Richard F. Treacy, Jr.
Richard F. Treacy, Jr., Secretary
Gerber Coburn Optical, Inc.

STATE OF CONNECTICUT)
) ss: South Windsor
COUNTY OF HARTFORD)

Personally appeared Richard F. Treacy, Jr., Secretary of Gerber Coburn Optical, Inc., a Delaware corporation, signer and sealer of the foregoing instrument, who acknowledged the same to be his free act and deed and the free act and deed of said corporation, before me.

Bachasa A. Antotta
Notary Public

BARBARA A. CULOTTA
Notary Public
Commission Expires April 30, 2002

State of Delaware
Office of the Secretary of State

PAGE 1

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP OF "COBURN OPTICAL INDUSTRIES, INC.", CHANGING ITS NAME FROM "COBURN OPTICAL INDUSTRIES, INC." TO "GERBER COBURN OPTICAL, INC." FILED IN THIS OFFICE ON THE THIRTIETH DAY OF APRIL, A.D. 1998, AT 11:30 O'CLOCK A.M.



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

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AUTHENTICATION: 1044805

DATE: 03-26-01

PATENT
REEL: 012795 FRAME: 0983

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 11:30 AM 04/30/1998
981165545 - 2250723

**CERTIFICATE OF OWNERSHIP AND MERGER
MERGING
GERBER OPTICAL, INC.
INTO
COBURN OPTICAL INDUSTRIES, INC.**

Gerber Optical, Inc., a corporation organized and existing under the laws of the State of Connecticut ("Gerber Optical"), does hereby certify:

First: That Gerber Optical was incorporated on the 1st day of June, 1990, pursuant to the laws of the State of Connecticut, the provisions of which permit the merger of a corporation of another state and a corporation organized and existing under the laws of the State of Connecticut.

Second: That Gerber Optical owns all of the outstanding shares of common stock of Coburn Optical Industries, Inc., a corporation incorporated on the 28th day of December, 1990, pursuant to the laws of the State of Delaware ("Coburn").

Third: That the Directors of Gerber Optical, adopted the following resolutions of its Board of Directors by unanimous written consent effective April 30, 1998:

RESOLVED that the Company [Gerber Optical] and Coburn Optical Industries, Inc. be merged into each other to form a single corporation.

RESOLVED that the merger of the Company [Gerber Optical] into Coburn Optical Industries, Inc., as described in the Plan/Agreement of Merger, a copy of which is attached hereto, be and it is in all respects affirmed, ratified, approved, and adopted.

RESOLVED that the merger of the Company [Gerber Optical] into Coburn Optical Industries, Inc. shall be effective on April 30, 1998.

RESOLVED that the proper officers of the Company [Gerber Optical] acting alone are, in all respects, authorized, empowered, and directed to execute and deliver such documents and to take such actions as they may deem necessary, convenient, desirable, or appropriate to effect the intent and to accomplish the purposes of the foregoing resolutions.

Fourth: That the proposed merger has been adopted, approved, certified, executed, and acknowledged by Gerber Optical, in accordance with the laws of the State of Connecticut, under which the corporation was organized.

Fifth: The Certificate of Incorporation of Coburn is amended as follows:

Article First: The name of the corporation is Gerber Coburn Optical, Inc.

In Witness Whereof, said Gerber Optical, Inc. has caused this Certificate to be signed by Richard F. Treacy, Jr., its Secretary, this 30th day of April, 1998.

Gerber Optical, Inc.,

By Richard F. Treacy, Jr.
Richard F. Treacy, Jr.
Its Secretary

SECRETARY'S CERTIFICATE

I, Richard F. Treacy, Jr., Secretary of Coburn Optical Industries, Inc., a corporation organized and existing under the laws of the State of Delaware, hereby certify, as such Secretary, that the Plan/Agreement of Merger to which this Certificate is attached, after having been first duly signed on behalf of the said corporation and having been signed on behalf of Gerber Optical, Inc., a corporation of the State of Connecticut, was duly adopted pursuant to Section 228 of the General Corporation Law of Delaware by the unanimous consent of the sole stockholder of the corporation.

Witness my hand on this 30th day of April, 1998.


Richard F. Treacy, Jr., Secretary
Coburn Optical Industries, Inc.

[Corporate Seal]

PLAN/AGREEMENT OF MERGER

This Plan/Agreement of Merger, dated and to be effective as of the close of business on the 30th day of April, 1998, pursuant to Section 252 of the General Corporation Law of Delaware, by and between Gerber Optical, Inc., a Connecticut corporation, and Coburn Optical Industries, Inc., a Delaware corporation.

Whereas the Boards of Directors of Coburn Optical Industries, Inc. and Gerber Optical, Inc., by unanimous written consent, have agreed to merge effective April 30, 1998 into a single corporation in accordance with the terms of this Plan/Agreement of Merger; and,

Whereas Gerber Scientific, Inc., the sole shareholder of Gerber Optical, Inc., has approved such merger by written consent effective April 30, 1998; and,

Whereas Gerber Optical, Inc., the sole shareholder of Coburn Optical Industries, Inc., has approved such merger by written consent effective April 30, 1998,

Now Therefore, the parties to this Agreement, in consideration of the mutual covenants, agreements, and provisions hereinafter contained, do hereby prescribe the terms and conditions of said merger and mode of carrying the same into effect as follows:

First: Coburn Optical Industries, Inc. and Gerber Optical, Inc. shall be merged into each other to form a single corporation. The surviving corporation of the merger shall be Coburn Optical Industries, Inc.

Second: Article First of the Certificate of Incorporation of Coburn Optical Industries, Inc., is amended by deleting Article First as it now exists and inserting in lieu thereof a new Article First as follows: Article First: The name of the corporation is Gerber Coburn Optical, Inc.

Third: Each share of common stock of the surviving corporation of the aforesaid merger which shall be issued and outstanding on the effective date of this Agreement, shall remain issued and outstanding to and shall be vested in Gerber Scientific, Inc. as the sole shareholder.

Fourth: The terms and conditions of the merger are as follows:

(a) The By-Laws of the surviving corporation as they shall exist on the effective date of this merger shall be and remain the By-Laws of the surviving corporation until the same shall be altered, amended, or repealed as therein provided.

(b) The Directors of the surviving corporation shall be:

George M. Gentile
Michael J. Cheshire
Shawn M. Harrington
John Blocha

The Officers of the surviving corporation shall be:

John Blocha
Shawn M. Harrington
Gary K. Bennett

Chairman
President
Treasurer and
Assistant Secretary
Secretary

Richard F. Treacy, Jr.

The Directors and Officers of the surviving corporation shall continue in office until the next annual meeting of stockholders and/or until their successors shall have been elected and qualified.

(c) This merger shall be effective on April 30, 1998.

(d) Upon the effective date of the merger all of the rights and tangible and intangible properties of Gerber Optical, Inc. shall be deemed transferred to and shall be vested indefeasibly in the surviving corporation to be named Gerber Coburn Optical, Inc., in accordance with Paragraph Second, above.

(e) Upon the effective date of the merger the surviving corporation to be renamed Gerber Coburn Optical, Inc. in accordance with Paragraph Second, above, may be served with process in the State of Connecticut for enforcement of any existing obligation of Gerber Optical, Inc. as well as for enforcement of any obligation of the surviving corporation arising from the merger, and the surviving corporation does hereby irrevocably appoint the Secretary of State of Connecticut as its agent to accept service of process in any such suit or other proceeding. The address to which a copy of such process shall be mailed by the Secretary of State of Connecticut is Gerber Coburn Optical, Inc., 55 Gerber Road, South Windsor, Connecticut 06074, until the surviving corporation shall have hereafter designated in writing to the said Secretary of State a different address for such purpose. Service of such process may be made by personally delivering to and leaving with the Secretary of State of Connecticut duplicate copies of

such process, one of which copies the Secretary of State of Connecticut shall forthwith send by registered mail to Gerber Coburn Optical, Inc. at the above address.

In Witness Whereof, the parties to this Agreement, pursuant to the approval and authority duly given by resolutions adopted by their respective Boards of Directors have caused these presents to be executed this 30th day of April, 1998.

Gerber Optical, Inc.

By Richard F. Treacy, Jr.
Richard F. Treacy, Jr.
Its Secretary

Coburn Optical Industries, Inc.

By Richard F. Treacy, Jr.
Richard F. Treacy, Jr.
Its Secretary